

**REMARKS**

Applicants have carefully reviewed the Office Action dated August 4, 2003. Applicants have amended Claims 32, 33, 34, 35, 36, and 37 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested. Claims 1-31 have been canceled. New Claims 38 and 39 have been added to this application.

Claims 32-37 are rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the Specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicants have amended the claims to further clarify the claims, and the subject matter which the Examiner was concerned with has been removed and/or amended. As such, Applicants respectfully request the withdrawal of 35 U.S.C. §112 rejection with respect to the amended claims.

Claim 32 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Sakuma*, U. S. Patent No. 5,663,750, in view of *Fukui*, U. S. Patent No. 5,124,751. This rejection is respectfully traversed.

Applicants' present inventive concept, as defined by the amended claims, is directed toward a system wherein a rasterized image is examined for the purpose of determining the percentage of the pixels that are on or partially on compared to a completely "used" page wherein maximum toner usage is present. Each pixel can have an incremental range from a minimum or "zero" to a maximum or "full" value. This percentage of the rasterized image is then converted to a value comprising the accumulation of all the pixel values for a given rasterized image. A determination is then made as to whether the printer has sufficient toner by comparing this value to the remaining toner at the printer represented by a toner value stored in a toner value register. If the toner level is insufficient, then the rasterized image is not transferred to the printer for rendering. The document or print job will not be transferred thereto unless there is sufficient toner to allow rendering of the image. If not, as defined by Claim 33, the rasterized image can be transferred to an alternative printer at an alternative print location.

**AMENDMENT AND RESPONSE**

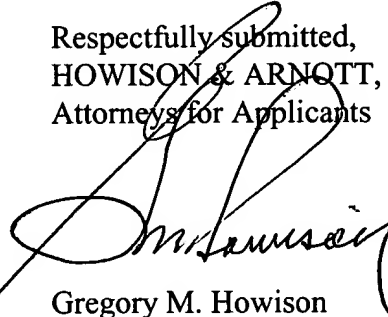
S/N 09/848,456

Atty. Dkt. No. TRSY-25,474

The *Sakuma* reference is a reference that is associated with a single printer in the RIP engine associated with that printer. There is some disclosure wherein the bit pattern for the entire page is determined prior to starting the print operation for that page at that printer. If the system determines that there is insufficient ink present to print the entire page, then the printer makes a determination as to whether there is sufficient ink to print the page at a reduced toner output level. If there is still insufficient ink, then the printing operation is stopped and a message is displayed to insert a new print cartridge. However, since this is disposed at the engine, the print job must be transferred to the engine prior to any determination as to ink levels. Therefore, there can never be rerouting of the rasterized image. As such, *Sakuma* does not provide the step of transferring the rasterized image to the printer only if there has been a determination made that sufficient toner is present, i.e., it is always transferred to the printer. Further, *Sakuma* does not disclose the concept of accumulating toner values for a rasterized image that represent a value that is less than the full value of the pixel. The Examiner has provided the *Fukui* reference as disclosing an image forming apparatus wherein pixels of an image are classified in grading levels ranging from 0 to 255. *Fukui* is directed toward a system that provides for toner density control for the purpose of accurately controlling toner density on a single print engine. There is no disclosure for inhibiting printing on a print engine or delivering of a rasterized image to a print engine in the event toner level is insufficient for the printing operation. Therefore, *Fukui* does not cure the deficiency noted herein above with respect to *Sakuma*. Therefore, Applicants believe that neither *Sakuma* nor *Fukui*, taken singularly or in combination, render Applicants' present inventive concept, as defined by the amended claims, obvious or unpatentable. Therefore, Applicants respectfully request the withdrawal of 35 U.S.C. §103 rejection with respect to the amended the claims.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/TRSY-25,474 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,  
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